



IAN F. BURNS & ASSOCIATES, P.C.

Intellectual Property Law

SPW

IAN F. BURNS & ASSOCIATES,
P.C.
John D. Long *
Thomas J. Howell, Ph.D. *
Harry A. Pacini

1575 Delucchi Lane
Suite 222
Reno, Nevada 89502

Phone: (775) 826-6160
Fax: (775) 828-1651

*Admitted in U.S. Patent and Trademark Office
†Admitted in California, Hawaii & Nevada
‡Admitted in California, Illinois, Massachusetts
& Washington, D.C.

December 15, 2004

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of Jerald C. Seelig et al.
Serial number: 10/663,396
Filed: September 15, 2003
Title: METHOD AND DEVICE FOR PLAYING A GAME
Attorney docket number: 619.509 ACC.CIP-Instant Lottery Ticket

Dear Sir:

The following is/are submitted to the Patent and Trademark Office for appropriate action:

1. A Response (3 pages).
2. A Terminal Disclaimer to Obviate a Double Patenting Rejection (1 page).
3. A Fee Transmittal (1 page).
4. A Credit Card Payment Form (1page).
5. A return receipt post card.

Cordially yours,

Thomas J. Howell

Registration Number: 34,351

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:



MAILING

Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

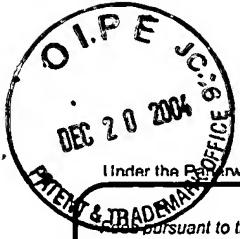


FACSIMILE

Transmitted by facsimile to the Patent and Trademark Office.

Fax No.: _____

Signature _____
Name _____ Date 12/15/04



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **65.00**

Complete if Known

Application Number	10/663,396
Filing Date	9/15/2003
First Named Inventor	Jerald C. Seelig
Examiner Name	Benjamin Layno
Art Unit	3711
Attorney Docket No.	619.509

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 500913 Deposit Account Name: Ian F. Burns & Associates

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s)
under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

<u>Small Entity</u>
Fee (\$)
Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 or HP =	x	=			
HP = highest number of independent claims paid for, if greater than 3					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Terminal Disclaimer

65.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	34,351	Telephone	775-826-6160
Name (Print/Type)	Thomas J. Howell			Date	12-15-04

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jerald C. Seelig et al.

Serial number: 10/663,396

Filed: September 15, 2003

Title: METHOD AND DEVICE FOR PLAYING A GAME

Attorney docket number: 619.509 ACC.CIP-Instant Lottery Ticket

Group Number: 3711

Examiner: Benjamin H. Layno

**Assistant Commissioner for Patents
Washington, D.C. 20231**

RESPONSE

In response to the Office Action dated September 20, 2004, please consider the accompanying remarks. A Terminal Disclaimer under 37 CFR §1.321(c) and requisite fee under 37 CFR §1.20(d) are also included with this response. Applicants do not believe that there are any additional fees due at this time; however, please charge Applicants' Deposit Account No. 500913 for any additional fees that may be due.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:



MAILING

Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.



FACSIMILE

Transmitted by facsimile to the Patent and Trademark Office.

Fax No.: _____

Signature
Name

Date